

## EXHIBIT 10

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK**

NEW YORK STATE FIREARMS ASSOCIATION,

et al.,

*Plaintiffs,*

v.

Civil Action No. 23-CV-6524-FPG

DOMINICK L. CHIUMENTO, in his official capacity as  
Acting Superintendent of the New York State Police,

*Defendant.*

**DECLARATION OF Robert David Ralyea IN SUPPORT OF PLAINTIFF'S REPLY IN  
SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION**

STATE OF NEW YORK     )

COUNTY OF ~~Schuyler~~ <sup>Yates</sup>     )

Robert David Ralyea, having been duly sworn, hereby states under the pains and penalties of perjury:

1. I am over 21 years of age and I make the following statements to my personal knowledge. If called upon to testify would competently testify as to the matters stated herein.
2. I am a 1-year resident of Dundee, New York but a lifelong resident of New York State.
3. I am a member of the New York State Firearms Association ("NYSFA"). I am not suing Superintendent Chiumento in my own capacity but know the NYSFA is fighting for my Second Amendment rights against New York's ammunition background checks.

4. I am a law-abiding gun owner and not subject to any possession restrictions under New York or federal law. I hold a current concealed-carry permit in New York State. I am also a retired US Army warrant officer.

5. On or about September 23, 2023, I went to Sportsman's Warehouse in Elmira, New York to purchase 2 boxes (40 rounds) of .270 ammunition.

6. I was required to pay \$2.50 for the ammunition background check.

7. After about 15 minutes, I was informed that the background check came back as 'delayed' and the store would call me when it came back approved or denied. NINE days later they call me and tell me I'm approved and can pick up my ammunition.

8. In the meantime, I ordered a .270 rifle from the same store and have it shipped to Elmira. They called me on October 3rd to say the gun is in. I go to the store on the 4<sup>th</sup>.

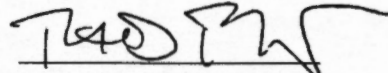
9. I had to furnish the same information I furnished to pass the background check for purchasing my ammunition in the first place. It took about 10 minutes to provide this information to the dealer.

10. I was required to pay \$9.00 for the firearm background check.

11. I was again told I was 'delayed'. They also told me even after PASSING the ammunition background check, because of the new check, I couldn't even pick up the ammunition I had already waited 9 days for AND paid the fee for that background check already.

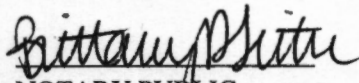
12. I waited for the call which never came, so I called the store and was told on October 20<sup>th</sup> that I was approved. A delay for the rifle of 16 days and a delay for the ammunition of 25 days on a background check that I had already passed.

13. Ammunition background checks are pointless, time-consuming exercises against law-abiding gun owners like myself. Every minute I've spent and will spend enduring a background check for ammunition purchases a violation of my Second Amendment rights.



Robert David Ralyea, CW3 US Army (Ret.)

Signed and sworn before me this 27 day of October, 2023.

  
NOTARY PUBLIC

BRITTANY D. LEITER  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 04LE6427843  
Qualified in Yates County  
Commission Expires January 3, 20 26

MY COMMISSION EXPIRES: